

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES H. ROGERS,)	
)	
v.)	C.A. No. 10-242 Erie
)	
SCI ALBION, et al,)	
Defendants.)	

MEMORANDUM ORDER


Plaintiff's complaint was received by the Clerk of Court on September 30, 2010, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on May 31, 2011, recommended that this complaint be dismissed due to Plaintiff's failure to prosecute. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at Renewal, P.O. Box 375, Pittsburgh, PA, the last address of record. No objections were filed. After de novo review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this *19* Day of July, 2011;

IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED due to Plaintiff's failure to prosecute. The Clerk of Court is directed to close this case.

The report and recommendation of Magistrate Judge Baxter, dated May 31, 2011, is adopted as the opinion of the court.


GARY L. LANCASTER
Chief United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

James H. Rogers
Renewal Resident Mail
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